IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINETH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

Writ Petition Nos. 21643, 22176, 22552, 25270, 26511 & 26790 of 2000

Writ Petition Nos.13477 of 1995, 9291 & 14166 of 1996, 19225 & 21880 of 1997 and 22011 of 1999

and

Writ Petition Nos.12191 of 1994, 7571, 11929, 12773, 17148 and 22028 of 1995, 8830 of 1996, 9690 of 1997,

9282, 12284, 13964, 14846, 15918, 16779, 16927 and 16924 of 1999, 24670, 25194, 25246 & 25676 of 2000 and 6527 & 18434 of 2001

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Writ Petition No. 21643 of 2000

Between:

1. P.Rama Rao S/o.Late Suryanarayana,aged42 years, Instructor,
2. V.Vijay Kumar, S/o.Krishna Murthy, aged 38years,Project Officer,
3. P.Krishna Murthy, S/o.Pullaiah, aged 35 years, Instructor,
4. M.A.Srikanth, S/o.Late M.N.Narayana, aged 40 years, Audiologist,
5. B.Ramakrishna Mohan, S/o.Late Kesava Rao, aged 37 years, Documentation Assistant/Junior Assistant,
6. M.Demudu, S/o.Appa Rao, aged 36 years, helper (Technical),
7. B.Suri Appa Rao, S/o.Appa Rao, aged 38 years, Watchman,
8. P.V.Ramana Murthy, s/o.Ramachandra Rao, aged 38 years, Project Officer,
9. M.Bhagawathi Rao, s/o.Late Venkata Rao, aged 48 years, Supervisor,
10. N.Rajendra Bose, S/o.late Anjaneyulu, aged 37 years, Production

Manager.

11. S.Manmadha Rao, S/o.Late Satyanarayana, aged 40 years, Instructor,

12. B.Appanna Trimurthi, S/o.Ganapathi Naidu,aged 38 years, Fitter (Skilled),

13. M.V.Ramana, S/o.Narasimhappadu, aged 34 years, Sheet Metal Worker (Skilled),

14. R.Joga Rao, S/o.Ganesh Chowdary, aged 31 years, Sheet Metal Worker (Skilled),

15. M.Satyanarayana, S/o.Late Appaji Rao, aged 33 years, Carpenter (Skilled),

16. G.Appa Rao, S/o.Late Latchaiah, aged 35 years, Carpenter (Semi Skilled)

17. S.Krishna Rao, S/o.Late Narasimha Murthy, aged 47 years, Storekeeper,

18. K.Mohan Rao, s/o.late Rama Rao, aged 29 years, Tredle Operator (Semi Skilled),

19. G.Jaggunaidu, S/o.Pydithalli, aged 29 years, Treadle Operator (Semi Skilled),

20. P.Babu Rao, S/o.Late Sugreevulu, aged 42 years, Compositor (Semi Skilled),

21. B.Ramu, S/o.Late Malleswara Rao, aged 44 years, Watchman,

22. J.Sadhu, S/o.late Thavudu, aged 55 years, Watchman,

23. D.Narasimha Murthy, S/o.Gannaiah, aged 37 years, Attender,

24. V.Krishna Rao, S/o.Late Simhadri, aged 43 years, Attender,

25. S.Eswara Rao,S/o.Suryanarayana, aged 36 years, Junior Assistant,

26. K.Appala Naidu, S/o.Thatha, aged 34 years, Attender,

27. S.Thirupathi, S/o.Satyanarayana, aged 26 years, Sheet Metal Worker,

28. P.Prasad Rao, S/o.Tatabbai, aged 42 years, Technical Helper,

29. P.Srinivaasu, S/o.Lacha Rao, aged 30 years, Machine Operator,

30. V.Veerabadra Rao, S/o.Appa Rao, aged 35 years, Helper,

31. A.Rami Reddy, S/o.Anjanappa, aged 40 years, Project Officer, T.C.P.C., Ananthapur.

32. K.Eswara Rao, S/o.late Veera Swamy, aged 36 years, junior Assistant, A.P.V.C.C., Working on deputation Women's Development Finance Corporation, Visakhapatnam.

33. N.V.Varma, S/o.Late Ramchandra Raju, aged 35 years, Junior Assistant, A.P.V.C.C., Working on deputation at A.P.S.W.R.School (Girls),Nellimarla, Vizianagaram .

34. V.A.Narasimham, S/o.Joga Rao, aged 48 years, Project Officer (Under the

orders of Suspension)

(Petitioners 1 to 3 working at T.C.P.C. (Training cum Production Centre, Bakkanna Palem, Visakhapatnam, Petitioner 4 working in H.A.C., Visakhapatnam, Petitioners 5 to 7 working in A.L.M.U., (Artificial Limp Manufacturing Unit), Visakhapatnam, Petitioners 8 to 24 working in T.C.P.C., Etcherla, Srikakulam District, Petitioners 25 to 27 working in T.C.P.C., Gajapathi Nagaram, Visayanagaram District, Petitioners 28 to 30 working in T.C.P.C., Kakinada, East Godavari District).

..... PETITIONERS

AND

1. The Government of A.P., rep. by its Principal Secretary, Women's Development, Child Welfare and Disabled Welfare (DW), Department, Secretariat, Hyderabad.

2. A.P.Vikalangula Cooperative Corporation, rep. by its Managing Director, B.R.K.R.Bhavan, Ground Floor, Tankbund Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus, declaring the G.O.Ms.No.28, Women's Development, Child Welfare, and Disabled Welfare (D,.W.) Department, dated 06.10.2000 as illegal, arbitrary, contrary to the directions and observations of this Hon'ble Court made in W.P.No.350/99 and batch and violative of fundamental rights guaranteed to the petitioners under Articles14, 16 and 21 of the Constitution of India and set aside the same.

Counsel for the Petitioners: MR.V.SUDHAKAR REDDY

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.2: Mr.K.Ramanujachari

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WRIT PETITION NO : 22176 of 2000

Between:

Mohd. Bin Ali Al Masdoosi, S/o.Alibin Ahmed, aged about 44

years, R/o.H.No.23-2-318, Moghalpura, Hyderabad.

..... PETITIONER

AND

1. The Managing Director, A.P.Vikalangula Cooperative Corporation, B.R.K.R. Bhavan, Hyderabad.

2. The Principal Secretary to Government, Woman's Development Child Welfare and District Welfare Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing g.O.Ms.No.28 dated 06.10.2000 Women Development, Child Welfare and Disabled Welfare to the extent of not sanctioning the post of Mechanic-cum-Recordist in the Sound library of the first respondent corporation as illegal, arbitrary and unconstitutional.

Counsel for the Petitioner: SMT.A.CHAYA DEVI

Counsel for the Respondent No.1: MR.K.RAMANUJACHARY

Counsel for Respondent No.2:G.P.for Women Dev.&Child Welfare

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WRIT PETITION NO : 22552 of 2000

Between:

C.Prabhakar Reddy, S/o.Ranga Reddy, aged about 47 years,

Working as Junior Assistant in Training-cum-Production Centre, Andhra Pradesh Vikalangula Cooperative Corporation, Industrial Estate, Ananthapur.

..... PETITIONER

AND

1. The Andhra Pradesh Vikalangula Cooperative Corporation rep. by its Managing Director, Ground Floor, B.R.K.R.Buildings, Near Tank Bund, Hyderabad.

2. The Government of Andhra Pradesh, rep. by its Secretary to Government, Women's Development and Child Welfare and Disabled Welfare (D.W.) Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly in the nature of Writ of Mandamus, declaring the G.O.Ms.No.28 dated 06.10.2000 issued by the 2nd Respondent as arbitrary, illegal, irrational, non application of mind and in violation of Articles 14, 16, 21, 39 of the Constitution of India and set aside the same and to issue a consequential direction to the Respondents to continue the petitioner in the 1st Respondent Corporation or alternatively adjust the petitioner in any Public Sector Undertaking or in the Government Services by relaxing the relevant Laws.

Counsel for the Petitioner:MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: MR.K.RAMANUJACHARI

Counsel for the Respondent No.2:GP FOR WOMEN DEV. & CHILD WELFARE

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WRIT PETITION NO : 25270 of 2000

Between:

G.Gopala Krishna, S/o.Venkata Ramana, aged about 44 years, working as Production Manager in Training-cum-Production Centre, Andhra Pradesh Vikalangula Cooperative Corporation, Guntur.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, rep. by its Secretary to Government, Women's Development and Child Welfare and Disabled Welfare (D.W.) Department, Secretariat, Hyderabad.

2. The Andhra Pradesh Vikalangula Cooperative Corporation rep. by its Managing Director, Ground Floor, B.R.K.R.Buildings, Near Tank Bund, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of Writ of Mandamus, declaring the G.O.Ms. No.28 dated 06.10.2000 issued by the first respondent as arbitrary, illegal, irrational, non application of mind andin violation of Articles 14, 16,21, 39 of the Constitution of India and set aside the same and to issue a consequential direction to the Respondents to continue the petitioner in the 2nd respondent Corporation or alternatively adjust the petitioner in any public Sector Undertaking or in the Government Services by relaxing the relevant Laws.

Counsel for the Petitioner:MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.2: Mr.K.Ramanujachari

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WRIT PETITION NO : 26511 of 2000

Between:

S.Butchappa, S/o.Veerappa, aged about 54 years, Working as

Helper Non Technical, Training-cum-Production, Tarnaka,

A.P.Vikalangula Co-Operative Corporation,
Tarnaka, Hyderabad.

..... PETITIONER

AND

1. The Government of Andhra Pradesh rep. by its Secretary
Woman's Development, Child Welfare & Disabled Welfare

Department, Secretariat, Hyderabad.
2. The Managing Director, A.P.Vikalangula, Co-Opearative Corporation,
B.R.K.R. Buildings, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of the Writ of Mandamus declaring the G.O.Ms.NO.28, Women's Development, Child Welfare and Disabled Welfare Department, dated:06.10.2000 issued by the 1st Respondent as illegal and violative of Articles 14, 16, 19 (a), 21, 38, 41 & 48 of the Constitution of India.

Counsel for the Petitioner: SMT.A.CHAYA DEVI

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.2: Sri K.Ramanujachari.

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WRIT PETITION NO : 26790 of 2000

Between:

S.Vidyavathi, D/o.Ramaiah, aged about 33 years, Attender,
District Manager's Office, A.P.Vikalangula Cooperative Corporation,
Anantapur, Anantapur District.

..... PETITIONER

AND

1. District Manager, Andhra Pradesh Vikalangula Cooperative

Corporation, Anantapur District.
2. Managing Director, Andhra Pradesh Vikalangula Cooperative

Corporation, BRK Buildings, Near Tank bund,
Hyderabad.
3. The Govt. of Andhra Pradesh rep. by its Secretary,
Women's Development, Child Welfare and Disabled Welfare

Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the GO.Ms.No.28 Women's Development, Child Welfare and Disabled Welfare Department, dt.6/10/2000 issued by the 3rd respondent as illegal, arbitrary, and in violation of Articles 14,16,19A, 21, 38, 41 and 48 of the Constitution of India.

Counsel for the Petitioner: SMT.A.CHAYA DEVI

Counsel for the Respondent No.1& 2: MR.K.RAMANUJA CHARI

Counsel for the Respondent No.3: GP FOR WOMEN DEV. & CHILD WELFARE

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WRIT PETITION NO : 13477 of 1995

Between:

Konne Koteswara Rao,S/o.Venkateswarlu, aged about 28 years,

Ravuripet, Vetapalem, Prakasam District.

..... PETITIONER

AND

1. A.P.Vikalangula Co-operative Corporation, rep. by its Managing Director, Venkata Ramana Apartments, A.C. Guards, Hyderabad.

2. The Project Officer, Training-cum-Production Centre, Ongole, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ or Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not regularizing the services of the petitioner as Helper is illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and further direct the respondents to pay the regular pay scale to the petitioner.

Counsel for the Petitioner: SMT.A.CHAYA DEVI

Counsel for the Respondent Nos.1&2: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 9291 of 1996

Between:

Bandaram Munikrishnaiah, S/o.B.Muni Swamy Chetty, aged about 25 yars, resident of Jayalakshmi Centre, IndustrialEstate, Guntur District-34.

..... PETITIONER

AND

1. The Managing Director, A.P.Vikalangula Cooperative Corporation, Venkatramana apartments, A.C. Guards, Hyderabad.

2. The Project Officer, Training-cum-Production Centre, A.P.Vikalangula Cooperative Corporation, Industrial Estate, Guntur.

3. The Joint Collector/Executive Director, A.P.Vikalangula Cooperative Corporation, Guntur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to

issue writ, order or direction more particularly one in the nature of writ of mandamus, directing the respondents to regularize the services of the petitioner in the post of Watchman/Helper in the 2nd respondent's office with consequential benefits.

Counsel for the Petitioner: SMT.A.CHAYA DEVI

Counsel for the Respondent Nos.1to 3: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 14166 of 1996

Between:

1. Smt.S.Vidyavathi, D/o.Ramayya, aged about 31 years, Hindu, resident of Ananthapur.

2. M.Siva Prasad, S/o.Pothulurayya, aged about 34 years, resident of Ananthapur.

..... PETITIONERS

AND

1. The District Manager, A.P.Vikalangula Coop. Corporation, Ananthapur District.

2. The Managing Director, A.P.Vikalangula Coop. Corporation, A.C. Guards, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, directing the respondents to regularize the services of the petitioners in their respective posts i.e, in the first respondent's office with all consequential benefits and fixing the pay scales as Rs.740-1150 and Rs.1010-1800 respectively.

Counsel for the Petitioners: SMT.A.CHAYA DEVI

Counsel for the Respondent Nos.1&2:Mr. K.RAMANUJACHARI

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WRIT PETITION NO : 19225 of 1997

Between:

1.G.Pushpa, W/o.Ramulu, aged about 33 years,

2.A.M.Sadguna, D/o. A.B.Muthyalu, aged about 35 years,

3.V.Nagaiah, S/o.Hanumaiah, aged about 27 years,

4.B.Narasinga Rao, S/o.Chennaiah, aged about 31 years,

5.G.Rajesham, S/o.Lingaiah, aged about 38 years,

(Above all are working as Helpers in Training-cum-Production Centre, Andhra Pradesh, Vikalangula Coop.Corporation, Sanghi College Campus, Taranaka, Hyderabad)

..... PETITIONERS

AND

1.The Government of Andhra Pradesh, rep. by its Secretary, Social

Welfare (G1) Department, Secretariat, Saifabad, Hyderabad.

2.The Andhra Pradesh Vikalangula Coop.Corporation, rep. by its

Managing Director, Venkata Ramana Apartments, A.C. Guards,

Hyderabad.

3.The Project Officer, Training-cum-Production Centre, Andhra Pradesh,

Vikalangula Coop.Corporation, Sanghi College Campus, Taranaka,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction particularly in the nature of a writ of Mandamus declaring the action of the respondents in not regularizing the services of the petitioners as Helpers in the 2nd Respondent Corporation and not paying the scale of pay attached to the post, as arbitrary, illegal and in violation of Articles 14 and 21 of the Constitution of India and to issue a consequential direction to the respondents to regularise the services of the petitioners as Helpers in the 2nd respondent corporation with effect from the date of completion of 5 years services from the date of appointment and pay the regular scale of pay to the petitioners with all consequential benefits.

Counsel for the Petitioners: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent Nos.2&3: MR.K.RAMANUJA CHARI

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WRIT PETITION NO : 21880 of 1997

Between:

M.Ammannamma, D/o.Venkata Subba Reddy, aged about 33 years,

working as Typist, Office of the District Manager, A.P.Vikalangula

Coop. Corporation, Chittoor.

..... PETITIONER

AND

1. The Managing Director, Andhra Pradesh Vikalangula Cooperative Corporation, B.R.K.R. Buildings, Near Secretariat, Hyderabad.
2. The District Manager/Assistant Director, Andhra Pradesh Vikalangula Coop. Corporation, Opp: Anand Theatre, Chittoor.
3. The Government of Andhra Pradesh rep. by its Secretary, Women and Child Welfare Department,Secretariat Buildings, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction particularly in the nature of a writ of Mandamus declaring the action of the respondents in not regularizing the services of the petitioner as Typist as arbitrary, illegal in violation of Article 14 of the Constitution of India and to issue a consequential direction to the respondents to regularise the services of the petitioners as Typist with effect from 01.11.1993 with all consequential benefits forthwith.

Counsel for the Petitioner:MR.SUBBA RAO KORRAPATI

Counsel for the Respondent Nos.1&2: MR.K.RAMANUJA CHARI

Counsel for the Respondent No.3: GP FOR WOMEN DEV. & CHILD WELFARE

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WRIT PETITION NO : 22011 of 1999

Between:

P.S. Nageshwar Reddy, S/o. Sri. Venkata Narsimha Reddy,
aged about 37 years, working as Production Manager/

I/c.Project Officer, T.C.P.C., A.P. Vikalangula Co-operative

Corporation, Nizamabad.

..... PETITIONER

AND

Andhra Pradesh Vikalangula Co-operative Corporation, rep. by its

Managing Director, BRKR Government Officers Complex, Ground

Floor, Tank Bund Road, HYDERABAD.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, more particularly one in the nature of WRIT OF MANDAMUS, to direct the Respondent to regularise the services of the petitioner in the post of Project Officer from the date of which he joined duty as Incharge Project Officer and consequently pay in the time scale of Rs.1980-80-2780-90-3500 (pre revised) with all consequential benefits.

Counsel for the Petitioner: MR.K.RAM REDDY

Counsel for the Respondent: Mr. K.Ramanujachary.

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WRIT PETITION NO : 12191 of 1994

Between:

P.Y.L.Narasimha Rao, S/o.P.Ramakotayya,

Aged about 47 years, Accounts Officer

(now under order of termination),

A.P.Vikalangula Cooperative Corporation,

Hyderabad, resident of Hyderabad.

..... PETITIONER

AND

The Managing Director, Andhra Pradesh Vikalangula Cooperative Corporation, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, more particularly in the nature of Writ of Certiorari and call for the records relating to and connected with the Proceedings No.Estt./59/93/D-396, dated 31.05.1994 of the Respondent and to quash the same.

Counsel for the Petitioner: MR.MEHERCHAND NORI

Counsel for the Respondent: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 7571 of 1995

Between:

1. P.Rama Rao, S/o.Suryanarayana, 28 years about, Instructor,
2. P.Krishna Murthy, S/o.Pullaiah, 30 years, Sociala Studies,
3. K.Srinivasa Rao, S/o.Sanyasirao, Attender, 32 years,
4. P.Govind, S/o.Subrahmanyam, Attender, 32 years,
5. S.Venkayamma, W/o.Somulu, Cook, 30 years,
6. Ch.Ramu, S/o.Ramalingam, Treadle Operator, 31 years,
7. K.Appala Reddy, S/o.Ramu Naidu, 30 years, Non.Tech.Teacher,
8. K.Sriramachandra Murthy, s/o.Narayana Murthy, Non.Tech.Helper,
9. A.BalaSeshu Kumar, s/o.Ramalinga Swamy, Non.Tech.Teacher,
10. Ch.Baskara Rao,S/o.Rama Murthy, Tech. Helper.,
11. P.V.Ramana Murthy,S/o.Tavitinaidu, Painter,
12. Ch.Sai Madhu, S/o.Rama Krishna Rao, Helper,
13. P.Appala Naidu,S/o.Suri, Non.Tech.Helper,
14. B.Mani Raja,S/o.Kuppayya, Junior Assistant,
15. N.Mohana Rao, S/o.Sanardhan, Tech.Helper,
16. K.Subba Rao,S/o.Sanyasi Rao,Clerk,

17. V.V.S.N.Murthy, S/o.Kalidasu, Non.Tech.Helper,

18. T.Rajulu, S/o.Guruvulu, Non.Tech.Helper,

19. A.Narasinga Rao, S/o.Narasimha Rao, attender,

20. D.Latha, D/o.Jagannadha Rao, Junior Assistant,

21. K.Suryanarayana, S/o.Lakshmi Narayana, Non.Tech.Helper,

22. I.Srinivasa Rao, S/o.Ramayya, Proof Reader,

23. P.Srinivasa Rao, S/o.Govind, non.Tech.Helper,

24. S.Devanandam, S/o.George, Carpenter,

25. G.Subba Lakshmi, D/o. Subba Rao,Sweeper,

26. M.Bhagavathi Rao,s/o.Venkata Rao,

27. B.A.Trimurthy, S/o.Ganapathi,

28. S.Krishna Rao,S/o.Narasimha Murthy,

29. R.Joga Rao, S/o.Ganesh,

30. B.Babu Rao, S/o.Pinnesur.,

31. M.Satyanarayana, S/o.Appajirao,

32. M.V.Ramana, S/o.Latchayya,

33. G.Appa Rao,S/o.Narasimhappadu,

34. B.Ramu, S/o.Malleswara Rao,

35. N.S.N.Murthy,S/o.Radhakrishna,

36. P.Rajababu, S/o.Yellaiah,

37. G.Babu Rao, S/o.Bapiraju,

38. V.Krishna Murthy, S/o.V.S.Rayudu,

39. V.Pramilarani,W/o.Gandhi,

40. P.Samba Murthy, S/o.Suryanarayana,

41. K.Mohana Rao, S/o.Rama Rao,

42. G.Jaggunaidu, S/o.Paiditalli,

43. M.Prasada Rao, S/o.Sanyasappadu,

44. A.Venkata Ramana, S/o.Appa Rao,

45. K.Amarendra Babu, S/o.Rama Murthy,

46. B.Asiramma, D/o.Asiraiah,

47. T.Amminaidu, S/o.Challaiah, Binder,

48. P.Bangaramma, W/o.Ramulu, Cleaner,

49. P.Babu Rao, S/o.Sugreevulu, Compositor,

50. K.Ramachandra Rao,S/o.Sitha Ramayya, Store Keeper,

51. Y.Prasad Rao, S/o.Paul, Head Master-cum-Warden,

52. M.Prabhakar Rao, S/o.Chittayya, S.G.B.T., Teacher.

(1 to 21—Regular Pay Scales.

22 to 25---Consolidate Pay. All are residents of Vishakapatnam, and 26 to 39---regular pay scales, 40 to 49---Consolidated Pay., at Srikakulam Districtand also 50 to 52----Regular pay scales., at Vizianagaram District)

..... PETITIONERS

AND

1. A.P.Vikalangula Co.op.Corporation, rep. by its Managing Director, Venkata Ramana Aopart6ments, A.C.Guards, Hyderabad.

2. TheJointCollector/Executive Director, A.P.V.C.C., Visakhapatnam.

3. The Joint Collector/Executive Director, A.P.V.C.C.,Srikakulam.

4. The Joint Collector/Executive Director, Vizianagaram.

5. The Project Officer, Training cum Production Centre, forPhysically Handicapped A.P.V.C.C.,Bakkannapalem, Kommadi Post,Visakhapatnam.

6. Project Officer, T.C.P,.C., for (Women)., Etcherla, Srikakulam District.

7. Project Officer, T.C.P.C., for physically handicapped, A.P.V.C.C., Gajapathi Nagaram, Vizianagaram District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more in the nature of Writ of Mandamus, declaring the order of the 1st respondent in Lr.No.436/Estt./94/D-103, dated 01.03.1995 whereunder the Respondents 2 to 4 are requested to instruct respondents 5 to 7 not to implement the regular pay scales to the employees working on consolidated pay, as illegal, arbitrary, violative of Articles 14 and 21 of the Constitution of India, and violative of principles of natural justice, and set aside the same, and consequently

direct the respondents to continue to pay regular pay scale to the petitioners 1 to 21, 26 to 39and 50 to 52 and consolidated pay to the petitioners 22 to 25 and 40 to 49, as paid from 1.1.1995.

Counsel for the Petitioners: MR. V.SUDHAKAR REDDY

Counsel for the Respondent Nos.1 to 7: MR. K.RAMANUJACHARY

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WRIT PETITION NO : 11929 of 1995

Between:

1. B.Gopal Reddy, S/o.Sri Ram Reddy, aged 45 years,
2. N.Surender, S/o.Sri Venkatesh, aged 35 years,
3. M.Ram Reddy, S/o.Sri Yadgir Reddy, aged 38 years,
4. M.D.Himayath Ali, S/o.Vylayath Ali, aged 42 years,

All are working as Junior Assistants in the Office of Managing Director, A.P. Vikalangula Cooperative Corporation, Hyderabad.

..... PETITIONERS

AND

1. The Managing Director, A.P. Vikalangula Cooperative Corporation, Venkataramana Apartments, B Blocks, A.C. Guards, Hyderabad.
2. Sri B.Venkateswarlu, S/o. not known, Major, Counselling & Rehabilitation Officer, Office of Assistant Director of Handicapped Welfare Department, Karimnagar.
3. Sri M.Rami Reddy, S/o.not known, Major, Counselling & Rehabilitation Officer, Office of Assistant Director of Handicapped Welfare Department, Nalgonda.
4. Sri K.Rudrayya, S/o. not known, Major, Counselling & Rehabilitation Officer, Office of Assistant Director of Handicapped Welfare Department, Vizianagaram.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction, more particularly a Writ in the nature of a Writ of Mandamus, declaring the action of the respondent No.1 in not considering the claim of the petitioners to the post of Counselling and Rehabilitation Officers as arbitrary and illegal and subsequently direct the first respondent to promote petitioners as Counselling and Rehabilitation officers with effect from the date on which the

respondents 2 to4 have been appointed as Counselling and Rehabilitation Officers with all consequential benefits.

Counsel for the Petitioner: MR.S.SATYAM REDDY

Counsel for the Respondent No.1: MR.K.RAMANUJACHARI

Counsel for the Respondent No.4: Smt. A.Chaya Devi

Counsel for the Respondent Nos.2&3: None appeared.

WRIT PETITION NO : 12773 of 1995

Between:

1. B.Mallikarjuna Rao, S/o.B.Venkateswara Rao, aged 33 years, Junior Assistant, T.C.P.C., Ongole.
2. M.Sri Ranganayakulu, S/o.Krishna Murthy, 38 years, helper, T.C.P.C., Ongole.
3. D.V.Krishna Rao, S/o.D.Satyanarayana, aged 32 years, Junior Assistant, T.C.P.C., Ongole.
4. B.Vijaya Lakshmi, D/o.Veeraiah, aged 36 years, working as Helper, T.C.P.C., Ongole.
5. Ch.Venkateswara Rao, S/o.Rosaiah, aged 39 years, working as Junior Assistant, T.C.P.C., Ongole.
6. P.Khajavali, S/o.Ramaiah, aged 33 years, working as Helper, T.C.P.C., Ongole.
7. B.Anjaiah, S/o.Kotaiah, aged 31 years, Ortho Unit, TCPC, Ongole.
8. P.Ramanaiah, S/o.P.Vengaiah, aged 30 years, H.M.Unit, TCPC, Ongole.
9. G.Anjaiah, s/o.Adiseshu, 31 years, Ortho Unit, TCPC, Ongole.
10. P.Singaiah, S/o.Meeraswamy, aged 37 years, Paralasis Unit, TCPC, Ongole.
11. D.Nageswaa ao, S/o.Venkaiah, aged 29 years, blind Unit, TCPC, Ongole.
12. G.Venkataiah, S/o.Subba Rao, aged 34 years, Blind Unit, TCPC, Ongole.
13. G.Venkata Swamy, S/o.G.PedaAnkamma, aged 27 years, working as Helper, TCPC, Ongole.
14. P.Naga Chalameswara Rao, S/o.Nageswara Rao, aged 30 years, blind Unit, TCPC, Ongole.
15. K.Chenchuramaiah, s/o.Malakondaiah, aged 37 years, Thotamali, TCPC, Ongole.
16. V.Franklin, S/o.Ananda Rao, aged 44 years, working as Helper, TCPC, Ongole.
17. K.Ramanamma, D/o.Pullaiah, aged 26 years, Helper, TCPC, Ongole.

18. T.V.Prasad, S/o.Krishna Murthy, aged 39 years, Blind Unit, TCPC, Ongole.

19. M.Sumathi, D/o.Nagaraju, aged 36 years, working as Cane Weaving Assistant, Blind Unit, TCPC, Ongole.

20. P.V.Subbamma, D/o.Pitchaiah, aged 28 years, Blind Unit, TCPC, Ongole.

21. P.Narasimha Rao, S/o.Papa Rao, 34 years, working as Night Watchman, TCPC, Ongole.

22. Y.Surya Prakasha Rao, S/o,.Venkata Subbaiah, aged 37 years, Ortho Unit, TCPC, Ongole.

23. D.Ram Babu, s/o.Kotaiah, aged 34 years, Store Keeper Centre, TCPC, Ongole.

24. B.Subrahmanyam, S/o.Subbaiah, aged 34 years, Day Watchman, TCPC, Ongole.

25. K.V.Subba Rao, S/o.Kotaiah, aged 33 years, Helper, TCPC, Ongole.

26. M.Hussaiah, S/o.Pitchaiah, 34 years, Helper, TCPC, Ongole.

27. Ch. Sri Ramulu, s/o.Malakondaiah, aged 28 years, Helper, TCPC, Ongole.

All are the residents of Ongole, Prakasam District.

..... PETITIONERS

AND

1. The Managing Director, A.P.Vikalangula Co-operative Corporation, Venkataramana Apartments, Red Hills, Hyderabad.

2. Joint Collector/Executive Director, A.P.V.C.C., Ongole.

3. The Project Officer, Training-cum-Production Centre, A.P.V.C.C., Ongole, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order, or direction more particularly one in the nature of Writ of Certiorari, and calling for all connected records of letter No.436/Estt/94/D-103; dated 1.3.95 of first respondent and quash the same and consequently direct the respondents to pay the regular pay scales from 1.1.95 to the petitioners.

Counsel for the Petitioners: SMT.A.CHAYA DEVI

Counsel for the Respondent Nos.1 to 3: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 17148 of 1995

Between:

1. Chinta Venkata Durga Prasad, S/o.Sri Ch.Chandra Mouleshwar Rao, aged 34 years, Occu:Junior Assistant, A.P.V.C.C, W.G.District, Eluru Branch, R/o.Eluru.

2. Tyadi Hanumantha Rao, S/o.T.V.Mukunda Rao, aged 24 years, Occu: Typist, A.P.V.C.C., W.G. District, Eluru Branch, R/o.Eluru.

..... PETITIONERS

AND

1. A.P.Vikalangula Co-operative Corporation, rep. by its ManagingDirector, Venkataramana Apartments, A.C.Guards, Hyderabad.

2. The Joint Collector/Executive Director, A.P.V.C.C, West Godavari District, Eluru.

3. The District Manager, A.P.V.C.C., West Godavari District, Eluru.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of Writ of Mandamus, declaring the order of the 1st respondent in Lr.No.436/Estt./94/D-103, dt.01.03.1995 where under the respondents 2 and 3 are requested not to implement the regular pay scales to the employees working on consolidated pay, as illegal, arbitrary, violative of Articles 14 and 21 of the Constitution of India, and violative of principles of natural justice, and set aside the same, and consequently direct the respondents to continue the pay regular pay scale to the petitioners as paid from 1.1.1995.

Counsel for the Petitioners: MR.V.SUDHAKAR REDDY

Counsel for the Respondent Nos.1 to 3: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 22028 of 1995

Between:

1. P.Koteswara Rao, S/o.P.Venkateswarlu, aged 38years, Helper (Technical)

2. D.V.S.Nagabhushana Rao, S/o.Adaiah, aged 38 years, Junior Assistant,

3. K.V.V.Subrahmanyam, S/o.Venkanna, aged 36 years, Helper (Technical),

4. Y.S.R.Murthy, S/o.Viswanadham, aged 29 years, Junior Assistant,

5. B.Laxmanayudu, S/o.Venkataratnam, aged 35 years, Store Keeper,

6. V.Gopala Rao, S/o.Yella Rao, aged 26 years, Attender.

All the petitioners are working in Training-cum-Production Centre, A.P.V.C.C, Kakinada)

..... PETITIONERS

AND

1. A.P. Vikalangula Coop. Corporation, rep. by its Managing Director, Venkataramana Apartments, A.C. Guards, Hyderabad.

2. The Project Officer, Training-cum-Production Centre, A.P.Vikalangula Coop.Corporation, Kakinada, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order of the 1st respondent in Lr.No.436/Estt./94/D-103, dated 1.3.1995 whereunder he requested the Joint Collectors/Executive Directors, A.P.V.C.C., to instruct the 2nd respondent herein not to implement regular pay scales to the employees working on consolidated pay scales as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and also violative of principles of natural justice and set aside the same and consequently direct the respondents to continue to pay the regular pay scales to the petitioners.

Counsel for the Petitioners: MR.V.SUDHAKAR REDDY

Counsel for the Respondent Nos.1&2: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 8830 of 1996

Between:

R.Srinivaswa Rao, S/o. Radhakrishna Murthy, aged about 28 years,

working as Production Manager, Training-cum-Production Centre, Andhra Pradesh Vikalangula Cooperative Corporation, Industrial Estate, Patamata, Vijayawada, Krishna District.

..... PETITIONER

AND

The Managing Director, Andhra Pradesh Vikalangula Cooperative Corporation,Venkataramana Apartments, A.C. Guards, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction particularly in the nature of a writ of Mandamus, declaring the Proceedings No.E1/28591/95/Court/D dated 20.03.1996 of the respondent as arbitrary, illegal and in violation of Article 14 of the Constitution of India and to issue a consequential direction to the respondents to fix the scale of pay of the petitioner as Rs.1330-2630/- in the cadre of Production Manager with effect from 1.5.1988 with all consequential benefits flowing thereon forthwith.

Counsel for the Petitioner:MR.SUBBA RAO KORRAPATI

Counsel for the Respondent: MR.K.RAMANUJACHARI

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WRIT PETITION NO. 9690 of 1997

Between:

1. P.Vijayalakshmi, D/o.Ramaiah, aged about 37 years, Sweeper incaliper Centre head Quarters Hospital, Andhra Pradesh Vikalangula Cooperative Corporation, Kondayapalem, Nellore.

2. T.Subbamma, W/o. Mastanaiah, aged about 40 years, Sweeper in Training cum Production Centre, Andhra Pradesh Vikalangula Cooperative Corporation, Kondayapalem, Nellore.

..... PETITIONERS

AND

1. The Managing Director, Andhra Pradesh Vikalangula Cooperative Corporation, Venkataramana Apartments, A.C. Guards, Hyderabad.

2. The Executive Director, (Joint Collector, Nellore District), Andhra Pradesh Vikalangula Cooperative Corporation, Kondayapalem, Nellore.

3. The Project Officer, Training-cum-Production Centre, Andhra Pradesh Vikalangula Cooperative Corporation, Kondayapalem, Nellore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in terminating the services of the petitioners as Sweeper, as arbitrary, illegal, in violation of principles of natural justice and to issue a consequential direction to the respondents to regularize the

services of the petitioners as Sweepers and pay the scale of pay attached to the posts of Sweepers with all consequential benefits with effect from the date of completion of five years service.

Counsel for the Petitioner:MR.SUBBA RAO KORRAPATI

Counsel for the Respondent Nos.1 to 3: MR.K.RAMANUJA CHARI

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WRIT PETITION NO : 9282 of 1999

Between:

Y.Ch. Mohana Rao, S/o.Prakasa Rao, aged about 42 years, working

as Helper (T), Training-cum-Production Centre, Andhra Pradesh

Vikalangula Cooperative Corporation, Gajapathi nagaram,
Vizianagaram District.

..... PETITIONER

AND

1. The Government of Andhra Pradesh rep.by its Secretary to

Government, Women's Development and Child Welfare(WH.D)

Department, Secretariat, Hyderabad.
2. The Andhra Pradesh Vikalangula Cooperative Corporation, rep.by its

Managing Director, BRKR Buildings, Ground Floor,
Near Tank Bund, Hyderabad.
3. The Project Officer, Training cum Production Centre,
Andhra Pradesh Vikalangula Coop.Corporation, Gajapathi Nagaram,
Vizianagaram District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in not paying the arrears of salary to the petitioner pursuant to the Proceedings Rc.No.1/91/TCPC dated 30-12-1995 of the 3rd respondent as arbitrary, illegal and in violation of Article 14 of the Constitution of India and to issue a consequential direction to the respondents to pay the arrears of salary to the petitioner pursuant to the Proceedings Rc.No.1/91/TCPC dated 30-12-1995 issued by the 3rd respondent forthwith.

Counsel for the Petitioner: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent Nos.2&3: MR.K.RAMANUJA CHARI

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WRIT PETITION NO : 12284 of 1999

Between:

M.Sekhar, S/o.Ramaswamy, aged about 29 years,

Working as Helper (Technical), R/o.Hyderabad.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, rep. by its Secretary, Women's Development and Child Welfare Department, Secretariat, Hyderabad.
2. The Managing Director, A.P.Vikalangula Coop. Corporation, Venkata Ramanaapartments, A.C. Guards, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction particularly in the nature of a writ of Mandamus declaring the action of the respondents in not paying the arrears of salary to the petitioner pursuant to refixation of scale of pay as Rs.1010-1800 as arbitrary, illegal and in violation of Articles 14 and 21 of the Constitution of India and to issue a consequential direction to the respondents to pay the arrears of salary to the petitioner pursuant to refixation of scale of pay as Rs.1010-1800 forthwith.

Counsel for the Petitioner: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.2: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 13964 of 1999

Between:

1. S.Ramulu, S/o.Durgaiah, aged about 31 years, Helper (T)
2. G.Sabita, W/o.Ashok, aged about 33 years, helper (T)

3. D.Seetharam Reddy, S/o.Seshireddy, aged about 32 years, Helper (T)

4. K.Satyanarayana, S/o.Pentaiah, aged about 37 years, Helper (T)

5. Md.Bande Ali,S/o.Md.Osman, aged about 32 years, Helper (T)

6. B.S.Sayeed, S/o.Rasool Saheb, aged about 52 years, Helper (T)

7. R.Shakuntala, W/o.Yadagiri, aged about 32 years, Helper (T)

8. K.Devamani Raju, S/o. Devaratnam, aged about 34 years, Helper(T)

9. B.Padmareddy, S/o.Ramireddy, aged about 35 years, Helper (T),

10. S.Anand Paul, S/o.S.A.Paul, aged about 36 years, Orthodist,

11. R.Sathyanaraqyaqna, S/o.Venkataiah, aged about 36 years, Store Keeper,

12. M.Venkatesh, S/o.Brahmaiah, aged about 31 years, Helper (T),

13. M.Shekar, S/o.Ramaswamy, aged about 29 years, Helper (T)

(All are working at Nizam Institute of Medical Sciences Centre, Andhra Pradesh Vikalangula Cooperative Corporation, Hyderabad)

..... PETITIONERS

AND

1.The Government of Andhra Pradesh, rep. by its Principal Secretary, Finance and Planning Department, Secretariat, Hyderabad.

2.The Principal Secretary to the Government of Andhra Pradesh, Women's Development Child Welfare and Labour Department, Secretariat, Hyderabad.

3.Andhra Pradesh Vikalangula Cooperative Corporation rep. by its Managing Director, BRKR Buildings, Ground Floor, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of writ of Mandamus declaring the action of the Respondents 1 and 2 in not implementing the Revised Pay Scales of 1993 to the petitioners, as arbitrary, illegal, in violation of

Article 14 of the Constitution of India and against the principle of rule of law and to issue a consequential direction to the respondents to fix the pay scales of the petitioners in accordance with PRC 1993 w.e.f. 1.4.1993 with all consequential benefits flowing thereon forthwith.

Counsel for the Petitioners: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR FINANCE & PLANNING

Counsel for the Respondent No.2: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.3: MR.K.RAMANUJA CHARI

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WRIT PETITION NO : 14846 of 1999

Between:

1. K.Subbarao, S/o.Lakshminarayana, aged about 40 years,
2. R.S.Rana, S/o.Rana Hem Sing, aged about 46 years,
3. S.Arlaiah, S/o.Soulaiah, aged about 35 years,
4. M.Ravinder, S/o.Papaiah, aged about 31 years,
5. A.Yadagiri, S/o.Sainna, aged about 36 years,
6. K.Venkatamma,D/o.Sangareddy, aged about 38 years,
7. M.Mallaiah,S/o. Bakkaiah, aged about 37 years,
8. Gousi begum, D/o.Khaseem, aged about 27 years,
9. P.j.Prakash,S/o.Lazaras, aged about 39 years,
10. S.Sambrajyam, D/o.Kaleshavali, aged about 36 years,
11. S.n.Chari, S/o.Lakshmipathi, aged about 35 years,
12. K.Fathima Begum, D/o.Subbanna, aged about 33 years,
13. J.Prakasharao, S/o.Venkanna, aged about 33 years,
14. K.Sridhar Goud, S/o.Pullaiah Goud, aged about 36 years,
15. V.Ravinder Reddy, S/o.Gangireddy, aged about 38 years,
16. B.Ramulu,S/o.Chinnaiah, aged about 40 years,
17. V.Yadagiri, S/o.Balakistaiah, aged about 38 years,

18. Kalidulla Baig, S/o.Kareemulla Baig, aged about 28 years,

19. C.Lakshmaiah, S/o.Chinnaiah, aged about 49 years,

20. S.Srinivasulu, S/o.Kistaiah, aged about 32 years,

21. P.R.P.Reddy s/o.Koti Reddy, aged about 40 years,

22. D.R.P.Reddy, S./o.Ramachandra Reddy, aged about 38 years,

23. P.Venkateswarlu,S/o.Muttaiah, agedabout 40 years,

24. K.V.Subbarao, S/o.Krishnamurthy, aged about 38 years,

25. G.Srinivasa Rao, S/o.Apparao, aged about 34 years,

26. Md.Sattar S/o.Razakmiya, aged about 30 years,

27. B.Chinna buchareddy,S/o.,Ayyapu Reddy, aged about 39 years,

28. C.Dastagiri, S/o.Balaiah, aged about 37 years,

29. P.Khajavali,S/o.Ramaiah, aged about 38 years,

30. B.Chandra Sekhar, S/o.Venkataramaiah, aged about 35 years,

31. Ch.Vijayalakshmi, W/o.Chandramouleswara Rao, aged about 43 years,

(All are working in the Andhra Pradesh Vikalangula Cooperative Corporation,l Hyderabad)

..... PETITIONERS

AND

1. The Government of Andhra Pradesh, rep. by its Principal Secretary, Finance and Planning Department, Secretariat, Hyderabad.

2. The Principal Secretary to the Government of Andhra Pradesh, Women's Development Child Welfare and Lasbour Department, Secretariat, Hyderabad.

3. Andhra Pradesh Vikalangula Cooperative Corporation rep. by its Managing Director, BRKR Buildings, Ground Floor, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of writ of Mandamus, declaring the action of the Respondents 1 and 2 in not implementing the Revised Pay Scales of 1993 to the petitioners, as arbitrary, illegal, in violation of Article 14 of the Constitution of India and against the principle of rule of law and to issue a consequential direction to the Respondents to fix the pay scales of the petitioners in accordance with PRC 1993 by implementing the Revised Pay Scales of 1993 w.e.f. 1-4-1993 with all consequential benefits flowing thereon forthwith.

Counsel for the Petitioners: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR FINANCE AND PLANNING.

Counsel for the Respondent No.2: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.3: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 15918 of 1999

Between:

K.Rama Mohana Reddy, S/o.Nagi Reddy, aged about 38 years, working as Junior Assistant, H.R.School, Brahmana Pally, A.P.Vikalangula Cooperative Corporation, Ananthapur.

..... PETITIONER

AND

1. The Andhra Pradesh Vikalangula Coop. Corporation rep. by its Managing Director, BRKR Buildings, Ground Floor, Hyderabad.
2. The District Manager, A.P. Vikalangula Cooperative Corporation, Near Pennar Bhavan, Ananthapur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of Writ of Mandamus declaring the action of the respondents in not fixing the pay of the petitioner in the regular scale of pay on par with other employees of the corporation, as arbitrary, illegal and in violation of Article 14 of the Constitution of India and to issue a consequential direction to the respondents to fix the pay of the petitioner in the regular scale of pay attached to the post of Junior Assistant w.e.f. 1.1.1995 forthwith.

Counsel for the Petitioner: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent Nos.1&2: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 16779 of 1999

Between:

1. K.R.Subrahmanyam, s/o.Rangaiah Naidu, aged about 40 years,
2. K.Venkatapathi, S/o.Venkata Swamy, aged about 38 years,
3. M.Krishna Murthy, S/o.Tulasi Ramadasappa, aged about 46 years,
4. V.PanduRangaiah, S/o.Obulesu, aged about 33 years,
5. D.Syed Basha, S/o.Khasim Saheb, aged about 40 years,
6. K.Sudhakar Rao,S/o.Subbarama Rao, aged about 40 years,
7. K.Ramesh, S/o.Mastan Rao, aged about 36 years,
8. D.Narasimhulu, s/o.Subbulappa, aged about 40 years,
9. G.Venu, S/o.Venkatappa, aged about 41 years,
10. S.AbdulSattar, S/o.Lalu Saheb, aged about 48 years,
11. B.Anandaiah,S/o.Chenchaiah Devara, aged about 35 years,
12. C.Anjaneyulu,S/o.Vannurappa, aged about 40 years,
13. M.Panduranganaik,S/o.Eswaranaik, aged about 32 years,
14. M.D.Gnana Siromanamma,W/o.Prabhakar Reddy, aged about 47 years.
15. R.Balaramu Naidu, S/o.Suryanarayana, aged about 32 years,
16. V.Sreerama Murthy, S/o.Suryanarayana, aged about 40 years,
17. R.Lavakumar Naidu,S/o.Venkataswamy Naidu, aged about 58 years,
18. V.Madhusudhanarao,S/o.Kasiviswanadham, aged about31 years,
19. Y.Ch.Mohana Rao,S/o.Prakasa Rao, aged about 42 years,
20. P.Ratnamanikyam, W/o.Vijaya Ratnam, aged about 38 years,
21. V.Apparao,S/o.Thavitiyya, aged about 35 years,
22. G.Rama Murthy,S/o.Chandrudu, aged about 42 years,
23. P.Guraiah,S/o.Ramayya, aged about 35 years,
24. Mohd. Waheed Pasha,S/o.md.Shukoor, aged about 32 years,
25. M.Ch.gammaniel,S/o.George, aged about 38 years,
26. V.Chennamma,W/o.Gammaniel, aged about 32 years,

(Petitioners 1 to 14 are working at Ananthapur, petitioners 15 to 23 are working atVisakhapatnam and Vizianagaram. Petitioner 24 is working at Mahaboobnagar and petitioners 25 and 26 are working atGuntur in theTraining-cum-ProductionCentres of Andhra Pradesh Vikalangula Cooperative Corporation)

..... PETITIONERS

AND

1. The Government of Andhra Pradesh rep. by its Principal Secretary, Finance and Planning Department, Secretariat, Hyderabad.

2. The Principal Secretary to the Government of Andhra Pradesh, Women's Development, Child Welfare and Labour Department, Secretariat, Hyderabad.

3. Andhra Pradesh Vikalangula Cooperative Corporation rep. by its Managing Director, BRKR Buildings, Ground Floor, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of writ of Mandamus declaring the action of the respondents 1 and 2 in not implementing the Revised Pay Scales of 1993 to the petitioners, as arbitrary, illegal, in violation of Article 14 of the Constitution of India and against the principle of rule of law and to issue a consequential direction to the respondents to fix the pay scales of the petitioners in accordance with PRC 1993 by implementing the Revised Pay Scales of 1993 w.e.f. 1-4-1993 with all consequential benefits flowing thereon forthwith.

Counsel for the Petitioners: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR FINANCE AND PLANNING.

Counsel for the Respondent No.2: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.3: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 16927 of 1999

Between:

1. Y.Ramaprasad Rao, S/o.Rama Rao, aged 44 years, Technical Helper (Fitter),

2. S.V.Ramana, S/o.S.G.Raju, 40 years, Store Keeper Grade II,

3. T.Kumarswamy, S/o.Appalaswamy, aged 41 years, Technical Helper (Welder),

4. M.Arjuna Raju, S/o.Rama Raju, aged 36years, Technical helper (Corpenter),

5. I.Abaddam, S/o.Sanyasi, aged 35 years, Technical Helper (Welder),

6. V.Prabhakar Rao, S/o.Sankar Rao, aged 33 years, Technical Helper (Painter),

7. K.Simhachalam, S/o.Appalaswamy, aged 40 years, Technical helper (Corpenter),

8. V.Sankara Rao, S/o.Varahalachari, aged 49 years, Supervisor,

9. M.Jagadeeswara Rao, S/o.Ramanarasimham, aged 37 years, Technical Helper (Corpenter),

10. N.Simhadri, S/o.Papayya, aged 38 years, Technical Helper (Fitter).

11. Y.Chakradhara Rao, aged 42 years, Technical Helper (Welder),

12. S.Yerukulu, S/o.Appanna, aged 46 years, Non-Technical Helper,

13. V.B.Rajamannar, S/o.Devanandam, aged 51 years, placement Officer.

14. Y.Bheema Rao, S/o.Satyanarayana, aged 44 years, instructor (Bandage Making),

15. Sudarsan Patnaik, S/o.R.R.Patnaik, aged 30 years, Store Keeper.

16. P.Adilakshmi, W/o.Apparao, aged 39 years, Instructor (Tailoring).

(The petitioners 1 to 8 are working in T.C.P.C., Visakhapatnam, 9 and 10 are working in T.C.P.C., Gajapathinagaram, Vizianagaram District, 11 to 13 are working in T.C.P.C., Kakinada, and 14 to 16 are working in T.C.P.C., Srikakulam)

..... PETITIONERS

AND

1. The Government of Andhra Pradesh rep. by its Principal Secretary, Finance and Planning Department, Secretariat, Hyderabad.

2. The Principal Secretary to the Government of Andhra Pradesh, Women's Development, Child Welfare and Labour Department, Secretariat, Hyderabad.

3. Andhra Pradesh Vikalangula Cooperative Corporation rep. by its Managing Director, BRKR Buildings, Ground Floor, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to

issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents 1 and 2 in not implementing the Revised Pay Scales of 1993 to the petitioners and confining the RPS 1993 only to 246 employees through G.O.Ms.No.46 Women Development, Child Welfare and Disabled Welfare (DW) Department, dated 09.07.1999 as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India and against the principle of rule of Law and consequently direct the respondents to fix the pay scales of the petitioners in accordance with PRC 1993 by implementing the Revised Pay Scales of 1993 with effect from 1-4-1993 with all consequential benefits flowing thereon forthwith.

Counsel for the Petitioners: MR.V.SUDHAKAR REDDY

Counsel for the Respondent No.1: GP FOR FINANCE AND PLANNING.

Counsel for the Respondent No.2: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.3: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 16924 of 1999

Between:

1. P.Rama Rao, s/o.Suryanarayana, aged 41 years, Instructor, sheet Metal,
2. P.Krishnamurthy, S/o.Pullaiah, aged 34 years, Instructor, Social Studies,
3. K.Srinivasa Rao, S/o.Sanyasi Rao, aged 27 years, Driver,
4. P.Govindu, S/o.Subrahmanyam, aged 33 years, Attender,
5. Salla Venkayamma, W/o.late Somulu, aged 44 years, Cook,
6. Ch.Ramu, S/o.Ramalingam, aged 44 years, Treadle Operator,
7. K.Appala Reddy, S/o.Ramu Naidu, aged 31 years, Non-Technical Helper,
8. K.Sriramachandra Murthy, S/o.Narayana Murthy, aged 30 years, Non-Technical Helper,
9. A.Balaseshu Kumar, S/o.Ramalingeswara Swamy, aged 32 years, Non-Technical Helper,
10. Ch.Bhaskara Rao, S/o.Rama Murthy, aged 34 years, Technical Helper (Fitter)
11. P.V.Ramana Murthy, S/o.Thaviti Naidu, aged 35 years, Technical Helper (Painter)
12. P.Appala Naidu, S/o.Suri, aged 31 years, Non-Technical Helper,
13. N.Mohana Rao, S/o.Janardhana, aged 32 years, Non-Technical Helper (Painter),

14. K.Subba Rao, s/o.Sanyasi Rao, aged 43 years, Junior Assistant,

15. V.V.V.Satyanarayana Murthy, S/o.Kalidas, aged 29 years, Non-Technical Helper,

16. T.Rajulu, S/o.Guruvulu, aged 37 years, Non-Technical Helper,

17. A.Narasinga Rao, S/o.Narasimharao,aged 36 years, Attender,

18. D.Latha, D/o.Jagannadha Rao, aged 38 years, Junior Assistant.

19. K.Suryanarayana, S/o.Lakshminarayana, aged 51 years, Non-Technical Helper.

20. G.V.S.Sai Prasad, S/o.G.V.S.Krishna Murthy, aged 39 years, Junior Assistant.

21. I.Gurumurthy, S/o.yendarao, aged about 27 years, Helper,

22. R.Suryanarayana Raju, S/o.Vijayarama Raju, aged 38 years, Project Officer,

23. Y.Sreeramachandra Murthy, S/o.Viswanadham, aged 32 years, Junior Assistant,

24. P.Koteswara Rao, S/o.Venkateswarlu, aged 41 years, Junior Assistant,

25. V.Gopala Rao, s/o.Yella Rao, aged 28 years, Attender,

26. B.Laxmanudu, s/o.Venkataratnam, aged 38 years, Attender,

27. G.Babu Rao, S/o.Bapiraju, aged 46 years, Compositor,

28. D.V.S.Nagabhushana Rao, S/o.Adiyya, aged 42 years, Junior Assistant.

29. K.V.V.Subrahmanyam, S/o.Venkanna, aged 40 years, echnical Helper (Fitter),

30. V.Krishna Murthy, S/o.V.S.Rayudu (late), aged 43 years, Junior Assistant,

31. T.Raju Babu, S/o.Yellaiah, aged 28 years, Non-Technical Helper (Treadle Opeator),

32. M.Bhagavathi Rao, S/o.Venkatarao, aged 45 years, Supervisor,

33. S.Krishna Rao, S/o.Narasimha Murthy, aged 40 years, Store Keeper.

(All are employees of A.P.Vikalangula Cooperative Corporation. Petitioners 1 to 21 are working at Visakhapatnam, 22 to 29 are working at Kakinada, and 30 to 33 are working at Srikakulam).

..... PETITIONERS

AND

1. The Government of Andhra Pradesh, rep. by its Principal Secretary, Finance and Planning Department, Secretariat, Hyderabad.

2. The Principal Secretary to the government of Andhra Pradesh, Women's Development, Child Welfare and Disabled Welfare Department, Secretariat, Hyderabad.

3. A.P. Vikalangula Cooperative Corporation, rep. by its Managing Director, B.R.K.R. Buildings, Ground Floor, Near Tank Bund, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the respondents 1 and 2 in not implementing the Revised Pay Scales of 1993 to the petitioners and confining the RPS 1993 only to 246 employees through G.O.Ms.No.46 Women's Development Child Welfare and Disabled Welfare (DW) Department, dated 9.7.1999 as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India and against the principles of rule of Law and consequently direct the respondents to fix the pay scales of the petitioners in accordance with PRC 1993 by implementing the Revised Pay Scales of 1993 with effect from 1.4.1993 with all consequential benefits flowing thereon forthwith.

Counsel for the Petitioners: MR.V.SUDHAKAR REDDY

Counsel for the Respondent No.1: GP FOR FINANCE AND PLANNING.

Counsel for the Respondent No.2: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.3: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 24670 of 2000

Between:

S.Ramulu, S/o.Durgaiah, aged about 33 years, working as Helper (Technical) in NIMS Centre of Andhra Pradesh Vikalangula Cooperative Corporation, Hyderabad.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, rep. by its Secretary to Government, Women's Development and Child Welfare (WH.D) Department, Secretariat, Hyderabad.

2. The Andhra Pradesh vikalangula Cooperative Corporation, rep. by its Managing Director, Ground Floor, BRKR Buildings, Near Tank Bund, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of Writ of Mandamus declaring the Proceedings No.Estt/A1/2000/D-645 dated 16.09.2000 of the 2nd respondent as arbitrary, illegal, in violation of principles of natural justice and in violation of Article 14 of the Constitution of India and to issue a consequential direction to the respondents to continue the petitioner in the pay scale of Rs.1050-1945.

Counsel for the Petitioner: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.2: MR.K.RAMANUJACHARI

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WRIT PETITION NO : 25194 of 2000

Between:

Mohammed Pasha, S/o. Late Mohammed Mastan,
Technical Helper, Tri-cycle Unit, Training-cum-Production Centre for

Physically Handicapped Persons, Tarnaka Unit, Hyderabad.

..... PETITIONER

AND

1. The Project Officer, Trading-Cum-Production Centre,
   Andhra Pradesh Vikalangula Coop.Corporation, Tarnaka Unit,
   Hyderabad.
2. The Managing Director, Andhra Pradesh Vikalangula

Coop.Corporation, Burgula Rama Krishna Rao Bhavan, Ground

Floor, Tank Bund Road, Hyderabad.
3. The Principal Secretary-cum-Chairman, Women & Child Welfare

Department, A.P.Vikalangunla Coop.Corporation, A.P. Secretariat,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or writ particularly a writ of Mandamus, directing the respondents herein for releasing the arrears of salary and other allowances due and payable to the petitioner herein, in view of the fixation of pay in the Revised Pay Scales from time to time including the 1999 Revised Pay Scales.

Counsel for the Petitioner: MR.N.VENKATA RAYUDU

Counsel for the Respondent Nos.1&2 : MR.K.RAMANUJA CHARI

Counsel for the Respondent No.3: GP FOR WOMEN DEV. & CHILD WELFARE

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WRIT PETITION NO : 25246 of 2000

Between:

B.S.Sayeed, S/o.late Rasool Saheb, working as Program Officer (Technical), Physiotherapist at Artificial Limb Manufacturing Unit,NIMS Centre, Andhra Pradesh Vikalangula Cooperative Corporation, Hyderabad.

..... PETITIONER

AND

1. The Governemtn of Andhra Pradesh rep.,by its Secretary to Women's Development, Child Weflare and Disabled Welfare (DW) Department, Secretariat, Hyderabad.
2. The Andhra Pradesh Vikalangula Cooperative Corporation, rep. by its Managing Director, BRKR Building, Ground Floor, Near Tank Bund, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly in the nature of Writ of mandamus declaring the action of the respondents in not fixing the pay scale of the petitioner as Rs.2525-5390/- as per PRC 1993 as Program Officer (Technical) Physiotherapist, as arbitrary, illegal, in violation of Article 14 of the Constitution of India and in violation of PRC 1993 and to issue a consequential direction to the respondents to fix the pay of the petitioner in the pay scale of Rs.2525-5390/- w.e.f. 1.4.1993 as directed in PRC 1993 with all consequential benefits including arrears.

Counsel for the Petitioner: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.2: Mr. K.Ramanujachary.

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WRIT PETITION NO : 25676 of 2000

Between:

G.Sabita,W/o.Ashok, aged about 34 years, working as Helper (Technical), in Artificial Limb Manufacturing Unit at NIMS, Andhra Pradesh Vikalangula Cooperative Corporation, Hyderabad.

..... PETITIONER

AND

1.The Government of Andhra Pradesh, rep. by its Secretary to

Women's Development, Child Weflare and Disabled Welfare (DW) Department, Secretariat, Hyderabad.

2.The Andhra Pradesh Vikalangula Cooperative Corporation, rep.

by its Managing Director, BRKR Building, Ground Floor,Near Tank Bund, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of Writ of Mandamus declaring the action of the respondents in not fixing the pay scale of the petitioner as Rs.1875-3750/- as per PRC 1993 as Helper (Technical), as arbitrary, illegal, in violation of Article 14 of the Constitution of India and in violation of PRC 1993 and to issue a consequential direction to the respondents to fix the pay of the petitioner in the pay scale ofRs.1875-3750/- w.e.f. 1.4.1993 as directed in PRC 1993 with all consequential benefits including arrears.

Counsel for the Petitioner: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent No.2: Mr. K.Ramanujachary.

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WRIT PETITION NO : 6527 of 2001

Between:

A.Anjanamma, W/o.Rami Reddy, aged about 36 years,

Working as Junior Assistant,O/o.District Manager, Andhra Pradesh

Vikalangula Cooperative Corporation, Ananthapur.

..... PETITIONER

AND

1. The Government of Andhra Pradesh rep. by its Secretary to Government, Woemn's Development and Child Welfare and Disabled Welfare (D.W.) Department, Secretariat, Hyderabad.

2. The Andhra Pradesh Vikalangula Cooperative Corporation rep. by its Managing Director, Ground Floor, BRKR Buildings, Near Tank Bund, Hyderabad.

3. The District Manager, Andhra Pradesh Vikalangula Cooperative Corporation, Ananthapur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of Writ of Mandamus declaring the action of the respondents in not fixing the pay scale of the petitioner as Rs.1745-3420/- as per PRC 1993 in the cadre of Junior Assistant, as arbitrary, illegal, in violation of Article 14 of the Constitution of India and in violation of PRC 1993 and to issue a consequential direction to the respondents to fix the pay of the petitioner in the pay scale of Rs.1745-3420/- w.e.f. 1-4-1993 as directed in PRC 1993 with all consequential benefits including arrears.

Counsel for the Petitioner:MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR WOMEN DEV. & CHILD WELFARE

Counsel for the Respondent Nos.2&3: Mr. K.Ramanujachary.

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WRIT PETITION NO : 18434 of 2001

Between:

Vadde Nagaiah, S/o.Sri Hanumaiah, aged about 32 years,

resident of Hyderabad.

..... PETITIONER

AND

1. Andhra Pradesh Vikalangula CooperativeCorporation, rep. by its Managing Director, B.R.K.R.Bhavan, Tank Bund Road, Hyderabad.

2. Project Officer, A.P. Vikalangula Cooperative Corporation, Training cum Production Centre, Sanghi College Campus, Tarnaka, Hyderabad.

3. Government of Andhra Pradesh, rep. by its Secretary, Women Development and Child Welfare Department, Secretariat Buildings, Saifabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction, directing the respondents 1 and 2 herein to implement the Resolution No.483, dated 10.11.1994 of the 1st respondent herein to the petitioner herein on par with the other employees of the Corporation.

Counsel for the Petitioner: MR.SAI GANGADHAR CHAMARTY

Counsel for the Respondent Nos.1&2: Mr. K.Ramanujachary.

Counsel for the Respondent No.3: GP FOR WOMEN DEV. & CHILD WELFARE

The Court made the following:

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.Nos. 21643,22176, 22552, 25270, 26511 & 26790 of 2000

W.P.Nos.13477 of 1995, 9291 & 14166 of 1996, 19225 & 21880 of 1997 and 22011 of 1999

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and

W.P.Nos.12191 of 1994, 7571,11929,12773,17148 and 22028 of 1995, 8830 of 1996, 9690 of 1997, 9282,12284,13964,14846,15918,16779,16927 and 16924 of 1999, 24670,25194,25246 & 25676 of 2000 and 6527 & 18434 of 2001

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COMMON JUDGMENT:

All these writ petitions can be grouped into three categories, viz., (i) questioning G.O.Ms.No.28, Women's Development, Child Welfare and Disabled Welfare (D.W.) Department, dated 6-10-2000, (ii) seeking regularization of services of petitioners;

and (iii) fixation of pay scales in accordance with the recommendations of the Pay Revision Commission-1993, termination from service, promotion etc.

The first batch of writ petitions i.e. W.P.Nos.22176, 21643, 22552, 25270, 26790 and 26511 of 2000 are filed seeking a Mandamus declaring G.O.Ms.No.28, Women's Development, Child Welfare and Disabled Welfare (D.W.) Department, dated 6-10-2000 issued by the 2nd respondent as arbitrary, illegal, irrational, non-application of mind and violative of Articles 14,16, 21 and 39 of the Constitution of India and set aside the same and for a consequential direction to the respondents to continue the petitioners in the 1st respondent-Corporation or alternatively, accommodate them in any pubic sector undertaking or in the Government service by relaxing the relevant rules. In the second and third batch of writ petitions, petitioners are seeking various directions, such as, regularization of their services in a particular cadre, fixation of pay scales in pursuance of the recommendations of the Pay revision Commission-1993, promotions, termination etc. Since the basic facts in all the writ petitions are one and the same, they are considered together and are being disposed of by common Judgment.

The impugned Governmental Order contemplates restructuring of staff pattern in Andhra Pradesh Vikalangula Cooperative Corporation (for short 'the Corporation) and thus sought to retrench the surplus staff extending Voluntary Retirement Scheme. Prior to the impugned G.O., G.O.Ms.No.9, dated 29-1-1998 was issued for restructuring the Corporation and for retrenchment of 407 employees, who were found to be surplus and restricting the cadre strength at 246 posts to keep the Corporation financially sound and perform its contemplated functions. Aggrieved by the retrenchment orders passed pursuant to G.O.Ms.No.9, dated 29-1-1988, several writ petitions were filed and during the course of arguments, this Court observed that while fixing the cadre strength at 246, Government had totally deleted the cadre of 'Instructor' for the Training Programme for the disabled and that the persons, who were regularly recruited against the sanctioned strength were retrenched; whereas the persons, who were irregularly recruited were retained. In this backdrop, the Government reviewed the entire affairs of the Corporation afresh and felt that the Corporation had totally drifted away from the main objective of providing training to the disabled for which it was established. The total salary requirement for the staff as on 6-10-2000 was Rs.3.12 crores per year and the entire amount sanctioned by the Government for the welfare of the persons with disabilities was being utilized for

payment of salaries only. Keeping this in view and because of the observations of this Court and in order to bail out from the crisis, Government has decided to restructure the Corporation by introducing VRS to retrench surplus staff under the impugned G.O.

According to the petitioners, the year 1981 was declared as International year of Disabled persons. Pursuant to the said declaration, Government of Andhra Pradesh decided that there was necessity to establish a separate establishment for the welfare of the handicapped persons. Accordingly, State Government vide G.O.Ms.No.35, Social Welfare (G1) Department, dated 23-3-1981 established a Corporation with the name and style of 'Andhra Pradesh Handicapped Persons Cooperative Finance Corporation' (later renamed as A.P. Vikalangula Cooperative Corporation), with an object to undertake specific programmes for the benefit of the handicapped persons. Pursuant to the above Governmental Order, the Deputy Registrar of Cooperative Societies, City Circle, Hyderabad by his Proceedings Rc.No.1951/81-J, dated 3-4-1981 registered the Corporation as a Primary Cooperative Society and accepted the bye-laws of the Corporation. Subsequently, with the consent of the Government, Corporation started several Training-cum-Production Centres throughout the State of Andhra Pradesh. Likewise, the Managing Director of the Corporation sent a scheme to the Government with a request to grant permission for establishment of training-cum-production centres at various places and the District Scheduled Caste Cooperative Societies were requested to select suitable persons for teaching and non-teaching posts in the training-cum-production centres for handicapped persons and the said posts were proposed to be filled up preferably with physically handicapped persons sponsored by Employment Exchange. Petitioners herein were all sponsored by the respective District Employment Offices and were appointed in their respective posts. Government of Andhra Pradesh approved the schemes sent by the Managing Director of the Corporation. The services of the petitioners were confirmed in their respective posts. Further, their probation in the cadre was also declared. Some promotions were also effected and in the promotional posts also their probation was declared. While the matter stood thus, the State Government issued G.O.Ms.No.9, dated 29-1-1998 as stated supra, taking a decision to retrench 407 employees by restructuring the cadre strength of the Corporation as 246 on the ground that several persons were appointed even without any sanction from the Government. In the said

G.O., posts of some of the petitioners were retained and several other posts were abolished. Assailing the said G.O., as stated supra, several writ petitions were filed and during their pendency, as noticed above, Government superseded G.O.Ms.No.9, dated 29-1-1998 by issuing G.O.Ms.No.28, dated 6-10-2000, since it observed that there was some mistake in issuance of the earlier G.O., particularly as to the cadre strength. However, after issuance of G.O.Ms.No.28, dated 6-10-2000, the cadre posts held by the petitioners were not shown as sanctioned posts. The main grievance of the petitioners is inaction on the part of respondents in not including their posts in G.O.Ms.No.28, dated 6-10-2000 by showing them as retained candidates. Further, it is stated that the impugned G.O. is arbitrary and illegal. Petitioners are qualified persons holding the respective posts for the last several years and they cannot be thrown out at this length of time by offering VRS, since their posts do not form part of the cadre strength as contemplated under the impugned G.O. This Court may further direct the respondents, in case it is not possible for the respondents to continue the petitioners in service, to absorb them in any public sector undertaking or in Government service.

A detailed counter affidavit has been filed by the 1st respondent-Corporation denying the allegations made by the petitioners. At the threshold, it is stated that the grievance of the petitioners can be subject matter of dispute that may be raised before the Registrar of Cooperative Societies, as provided under the Andhra Pradesh Cooperative Societies Act, as decided by the Supreme Court in **R.C. TIWARI v. MADHYA PRADESH STATE COOPERATIVE MARKETING FEDERATION.** Even this Court also in W.P.No.6126 of 1999 and batch held that writ petition is not maintainable straightaway. The petitioners have also got effective alternative remedy under the Industrial Disputes Act,1947 as held by the Apex Court in a reported Judgment in **ASSISTANT COLLECTOR, CENTRAL EXCISE v. DUNLOP INDIA LIMITED.** It is stated that the Corporation cannot be called a 'State' as defined under Article 12 of the Constitution of India and as such, is not amenable to the writ jurisdiction under Article 226 of the Constitution of India. It cannot be said that the impugned G.O. is arbitrary, illegal, irrational and violative of Articles 14, 16, 21 and 39 of the Constitution of India. The plea of the petitioners that they should not be retrenched or alternatively they should be adjusted in any Government undertaking forthwith by relaxing the relevant Service Rules also cannot be

accepted, since their initial entry into service itself was illegal, irregular and without any authority conferred on the Officers, who had recruited them over and above the sanctioned cadre strength. It is also stated that it is settled law that when once the initial appointment itself was unauthorized and was against the sanctioned vacancies, regularization in such non-existing vacancies would never survive for consideration and even if such purported regularization or confirmation is there, it would be an exercise in futility and no right would accrue to the incumbent of such imaginary or shadow vacancy. It is further stated that the impugned G.O. was issued to adopt the guidelines prescribed by the Public Enterprises Department from time to time for calculation of VRS amounts, which is more beneficial to the employees, who are found surplus and sought to be retrenched; as such, the petitioners cannot misinterpret the directions issued in the impugned G.O. as if the Government directed to implement the VRS. It is also false and incorrect to state that the respondents will appoint their own men in 55 posts, which are vacant and instead the petitioners should have been adjusted in the said posts. It is asserted that the posts will be filled up as per the qualifications prescribed for them. It is not true to say that the respondents are acting with a *mala fide* intention. The employees, who were appointed on temporary basis, cannot claim regularization and should not be permitted to overreach the law, even if the incumbent is working for a long period, the requirement of rules and selection process cannot be substituted by humane considerations. It is also not true to say that there is no rule or bye-law or court order stating that the Corporation shall obtain prior approval while appointing the staff when the salaries are being paid by the Government.

Learned counsel for the petitioners stated that though restructuring of the staff pattern is a policy decision taken by the Government, the same cannot be irrational. Under the impugned G.O., there is no nexus to the object sought to be achieved. The purpose of various Governmental Orders issued earlier was not properly construed and considered before issuance of impugned G.O. The training centres' cadre was not taken into consideration. The list appended to the impugned G.O refers to 80 posts in various cadres not held by any person. There was no person appointed as a Nurse nor was there any such post earlier. All this was done only to take people from backdoor method. 50% of the cadre strength as enumerated in the impugned G.O. is not available between 1981 and 2004. The aim is to train personnel for production and thereby generating funds. Such an ideology was given a go-bye. Certain posts, which are required, were not retained. Under the impugned

G.O., employees at class IV level were sought to be retrenched. In fact, if the impugned G.O. is implemented, the production units would be closed down; thus the aim and objectives of the Corporation are defeated. In nutshell, the learned counsel for petitioners pleaded that there was no rationale behind in including 80 posts in the cadre strength, which are not held by any person. This itself would show that the respondents had not exercised their mind and given a careful consideration to the humane problem. The impugned G.O. also does not take into consideration as to how the restructured cadre strength will be considered in various categories. There is no seniority list prepared for each cadre. Whether the 'last come first go' rule will be followed or not is not clear. Further, the theory of 'applying the roster backwards' would be followed or not for making sufficient posts reserved for physically handicapped persons and Scheduled Caste persons is not spelt out.

Per contra, learned counsel for the respondent-Corporation sunmitted that the petitioners have not made out any case to show that the policy of the Government was either irrational or illegal or arbitrary. They have simply pleaded that the respondents have not applied their mind before issuing the impugned G.O. While implementing the impugned G.O. and restructuring the personnel at 180, the seniority of the employees in various cadres will be taken into consideration and the 'last come first go' principle will be applied. Therefore, petitioners need not have any fear as to losing of their jobs being senior members in various cadres in the Corporation. The apprehension of the petitioners is only an imaginary one and without any substance. It is further contended that the preamble of the impugned G.O. itself speaks as to under what circumstances the restructuring of the staffing pattern was made necessary. Here, learned counsel for the respondent-Corporation emphatically argued that the whole exercise was done, in fact, in pursuance of an order passed by this Court. The Government had gone into each and every aspect of the Corporation and found out very sorry state of affairs as to the over-staffing, particularly appointments made by various officers, by increasing the cadre strength without there being any valid reason, sanction or permission from the Government and the Board. After making indepth study, the impugned G.O. was issued, which is nothing but a policy of the Government to save the organization, as such, from extinct.

The first question that falls for consideration in these cases is whether this Court can go into the correctness or otherwise of the impugned G.O., which was issued for

restructuring the staffing pattern. The Government after indepth study found that the Corporation had totally drifted away from the main objective of providing training to the disabled for which it was established and the total budget allocation for the Corporation was utilized only for payment of salaries to the staff i.e. about Rs.3.12 crores per year and nothing left for adopting schemes for the welfare of disabled persons. Only to save the Corporation from its extinct and from crisis, the Government has decided as per the guidelines of the Public Enterprises Department to restructure the Corporation by introducing Voluntary Retirement Scheme, so that the surplus staff can be given a ceremonial send off. Further, the objectives set out in the impugned G.O. is to protect employees, who were recruited against sanctioned posts to continue and to offer VRS to other employees over and above the sanctioned strength to enable the Corporation to refocus its activities for providing training, both vocational and technical for the disabled. In view of the scheme coupled with the assurance given by the learned counsel for respondent-Corporation on behalf of the respondents that in each and every cadre seniority list will be maintained and 'last come first go' principle will be applied, petitioners need not have any much apprehension. But, it is unfortunate that there was no answer from the respondents when it was posed by the learned counsel for petitioners that 80 posts, which are enumerated in the annexure appended to the impugned G.O. are the posts, which are not held by any person or were there in the cadre originally. That means, 80 persons, who held various posts, which are not included in the cadre strength and over and above the sanctioned strength of 180, would be retrenched. It means there will be only 100 persons in the Corporation, if the VRS is introduced in the fashion in which it is sought to be implemented. In these circumstances, the apprehension of the petitioners that these 80 vacancies of various cadre strength created in the impugned G.O. would be filled up by persons other than the petitioners seems to be not without any substance.

Be that as it may, unless the other questions i.e., whether the writ petition is maintainable and whether the Corporation is amenable to the writ jurisdiction under Article 226 of the Constitution of India are decided, the question whether the structuring and restructuring of the cadre strength and introducing VRS, though it connected with the service conditions of the employees of the respondent-Corporation cannot be decided.

There may not be any difficulty to hold that the Andhra Pradesh Vikalangula

Cooperative Corporation is a State within the meaning of Article 12 of the Constitution of India and a writ petition is maintainable against it, particularly when the cadre strength fixed by the Government is under challenge. May be, the service conditions of the employees are governed by the contract, since there are no statutory rules governing their service conditions. It was elaborately considered by this Court by Judgment dated 31-7-1992 in W.P.No.15945 of 1991 after referring to various case law, aims and objects of the Corporation, its constitution and functions and control exercised by the Government and held that the Corporation is a State within the ambit of Article 12 of the Constitution and the Corporation can be held to be 'other authority' under Article 12. Once the Corporation is held to be a State, Article 14 of the Constitution of India comes into play, which is antipathy of arbitrariness. The said ratio was upheld by a Division Bench of this Court in W.A.No.841 of 1992, dated 4-3-1997. Therefore, I am of the view that the respondent-Corporation is a State within the meaning of Article 12 of the Constitution of India and a writ is maintainable against it, in the peculiar circumstances of this case, where a policy decision of the Government affecting the overall structure of the Corporation and its employees is challenged.

Service Conditions

May be, a writ petition is not maintainable to decide the service conditions of the employees of the Corporation, since they are supposed to approach the authorities under the A.P. Cooperative Societies Act itself and workout their remedies. In this regard, reliance is placed by the learned counsel for the respondent-Corporation on a reported judgment of a Full Bench of this Court in **S.U.M. PRASAD v. ANDHRA PRADESH STATE FEDERATION OF COOPERATIVE SPINNING MILLS LIMITED** wherein it was held as under:

> "**20**. The violation of a statute or a statutory rule in the context of the A.P. Cooperative Societies Act would mean violation of the provisions of the State Act or Rules made thereunder. As has been noticed hereinbefore, the services of the petitioner are not protected under the said Act or under the Rules. Even if an authority performs a public function, writ may not lie……
>
> **22.** The aforementioned decisions of the Apex Court, therefore, clearly lay down a distinction as to cooperative societies, which are merely registered under Co-operative Societies Act on the one hand and those cooperative societies although registered under the Co-operative Societies Act are fully funded and controlled by the State and conditions of service of its employees are governed by the statutory rules."

He also relied upon an unreported Judgment in W.P.No.7455 of 1991, dated 17-1-1997 in which it was held :

> "This argument of the learned counsel for petitioner is misconceived and not at all acceptable to the Court. At the outset, it may be pointed out that the Rules framed by the Governor of a State by virtue of the power conferred on him under Article 309 of the Constitution of India, are applicable only to the civil servants i.e. servants under the State. The petitioner before the Court is not a servant of the Government. It may be that the Government has founded the respondent-society and may be funding also. But from that fact itself, it cannot be said that an employee of the registered society should be treated as an employee of the Government so as to take the advantage of the Rules framed by the Governor under Article 309……..The petitioner having entered the services of the respondent-society as an employee of the Society, is bound by the bye-laws of the society. When the bye-laws of the society in clear terms prescribe the qualifications for promotion to the post of Superintendent, it is not permissible for the High Court to direct the management of the society to promote the petitioner to the post of Superintendent despite the admitted fact that the petitioner lacks the prescribed test qualification. On that short ground, the writ petition is liable to be dismissed."

Learned counsel for petitioners placed heavy reliance on the Judgment in W.P.No.15945 of 1991, dated 31-7-1992 and submitted that this Court can go into the aspect of regularization of the services of the petitioners and fixation of pay scales. But, in view of the law laid down in **S.U.M. PRASAD**'s case (3 supra), the judgment in W.P.No.15945 of 1991 cannot be applied to the facts of this case. In the said writ petition, the question whether the service conditions of the employees of the Corporation were governed by statutory rules or not was not the subject matter of consideration. Learned counsel for petitioners have not brought to my notice any statutory rules made under the A.P. Cooperative Societies Act governing the service conditions of the petitioner-employees. The *sine qua non* for maintaining a writ petition before this Court as to the service conditions of an employee of cooperative society, which is performing public functions, is, the services of the employees should be governed by statutory rules. Mere performing of public function or the organization is a public body, has no much consequence while dealing with the service conditions for maintenance of a writ petition, for the simple reason that judicial review cannot be extended to such matters, which are not governed by statutory rules or regulations.

Admittedly, there are no statutory rules governing the service conditions of the employees of the respondent-Corporation. The employees are governed by the rules framed under the bye-laws of the Corporation. Therefore, those rules have no

statutory flavour. As such, a writ petition is not maintainable straightaway. Petitioners have to work out their remedies before the authorities under the A.P. Cooperative Societies Act, since their employer is the Primary Cooperative Society (respondent-Corporation) and their service conditions are governed as per the bye-laws of the Society.

In view of the aforementioned discussion, insofar as first batch of writ petitions is concerned i.e. W.P.Nos.21643, 22176, 22552, 25270, 26511 and 26790 of 2000, the writ petitions are maintainable before this Court. While fixing the cadre strength, there were no guidelines laid down under the impugned G.O. as to how the same will be implemented and in 80 posts, which were created for the first time in various cadres, who would be adjusted among the surplus staff. While implementing the G.O. the principle of applying the roster backwards will be taken into consideration is not clear, though it is admitted by the learned counsel for respondent-Corporation that the principle of 'last come first go' will be followed in each and every category separately. This being the policy decision, this Court cannot interfere into the restructuring of the cadre strength of the society. The crisis and the difficulties faced by the Corporation have been fully considered, which are not only reasons germane, but also sufficient for the purpose of issuance of impugned G.O. While upholding the impugned G.O., the respondents are directed to follow the following directions in implementing the G.O.

1. In each category, a seniority list shall be prepared and the 'last come first go' principle should be applied.

2. The 80 posts, which are included in cadre strength under impugned G.O. and not held by any of the petitioner-employees, shall be adjusted by the employees, who are eligible to hold the said post; thus, adjusting at least 80 persons, from among the surplus staff.

3. The respondent-Corporation will adjust the seniormost persons in the respective cadres, which are enumerated in the G.O. and held by the present employees, and other posts, which are enumerated in the cadre strength and not held by anybody, shall also be adjusted by accommodating the surplus staff. Thus all the 180 posts, as far as possible, shall be filled up by the existing employees.

4. Unless and until a clear cut list of the employees is drawn in various categories as per their seniority and the list of persons, who are likely to be affected and retrenched by offering VRS, is prepared and exhibited and affected individuals are served with a notice, the impugned G.O. may not be given effect to.

Insofar as the alternative prayer of the petitioners that either they should be accommodated in any public sector undertaking or in Government service by relaxing the rules, if necessary, is concerned, it is a matter of policy on which a decision is to be taken by the Government. It is not possible for this Court to give directions to the Government to alternatively adjust all the persons, who are affected by implementing the impugned G.O. in any public sector undertaking or Government service. It is upto the Government to take appropriate decision, if it is so advised.

Accordingly, W.P.Nos.21643, 22176, 22552, 25270, 26511 and 26790 of 2000 are disposed of. There shall be no order as to costs.

For the very same reasons referred to above, the second and third batch of writ petitions are not maintainable, since they seek judicial review of the service conditions, which are in the realm of pure contract made under bye-laws, which have no statutory force or flavour. Further, petitioners have effective and efficacious alternative remedy by way of approaching the authorities under the Cooperative Societies Act to work out their remedies.

Accordingly, W.P.Nos.13477 of 1995, 9291 & 14166 of 1996, 19225 & 21880 of 1997 and 22011 of 1999 and W.P.Nos.12191 of 1994, 7571,11929,12773,17148 and 22028 of 1995, 8830 of 1996, 9690 of 1997, 9282,12284,13964,14846,15918,16779,16927 and 16924 of 1999, 24670,25194,25246 & 25676 of 2000 and 6527 & 18434 of 2001 are dismissed. There shall be no order as to costs.

29th October,2004

prk

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Women's Development, Child Welfare and Disabled Welfare (DW) Department, Secretariat, Hyderabad.
2. The Managing Director, A.P.Vikalangula Cooperative Corporation, B.R.K.R.Bhavan, Ground Floor, Tank Bund Road, Hyderabad.
3. The District Manager, Andhra Pradesh Vikalangula Cooperative Corporation, Ananthapur District.
4. The Project Officer, Training-cum-Production Centre, Ongole, Prakasam District.
5. The Project Officer, Training-cum-Production Centre, A.P.Vikalangula Cooperative Corporation, Industrial Estate, Guntur.
6. The Joint Collector/Executive Director, A.P.Vikalangula Cooperative Corporation, Guntur.
7. The Project Officer, Training-cum-Production Centre, Andhra Pradesh Vikalangula Coop.Corporation, Sanghi College Campus, Taranaka, Hyderabad.
8. The District Manager/Assistant Director, Andhra Pradesh Vikalangula Coop.Corporation, Opp: Anand Theatre, Chittoor.
9. The Joint Collector/Executive Director, A.P.V.C.C., Visakhapatnam.
10. The Joint Collector/Executive Director, A.P.V.C.C., Srikakulam.
11. The Joint Collector/Executive Director, Vizianagaram.
12. The Project Officer, Training cum Production Centre, for Physically Handicapped, A.PV.C.C., Bakkannapalem, Kommadi Post, Visakhapatnam.
13. The Project Officer, T.C.P.C., for (Women), Etcherla, Srikakulam District.
14. The Project Officer, T.C.P.C., for Physically Handicapped, A.P.V.C.C., Gajapathi Nagaram, Vizianagaram District.
15. The Joint Collector/Executive Director, A.P.V.C.C.,, West Godavari District, Eluru.
16. The District Manager, A.P.V.C.C., West Godavari District, Eluru.
17. The Project Officer, Training cum Production Centre, A.P.V.C.C., Kakinada, East Godavari District.
18. The Executive Director(Joint Collector, Nellore District), Andhra Pradesh Vikalangula Cooperative Corporation, Kondayapalem, Nellore.
19. The Project Officer,Training cum Production Centre, Andhra Pradesh Vikalangula Cooperative Corporation, Kondayapalem, Nellore.
20. The Project Officer, Training cum Production Centre, Andhra Pradesh Vikalangula Coop. Corporation, Gajapathinagaram, Vizianagaram District.
21. The Principal Secretary, Finance and Planning Department, Government of Andhra Pradesh, Secretariat, Hyderabad.
22. The Project Officer, Trading cum Production Centre, A.P.Vikalangula Coop. Corporation, Tarnaka Unit, Hyderabad.
23. The Secretary, Social Welfare (G1) Department, Govt.of A.P.,Secretariat, Saifabad, Hyderabad.

24. The Joint Collector/Executive Director, A.P.V.C.C., Ongole.

25. Two C.Cs. to the Government Pleader for Finance and Planning, High Court Buildings, Hyderabad. (O.U.T.)

26. Two C.Cs. to the Government Pleader for Women Development and Child Weflare, High Court Buildings, Hyderabad. (O.U.T.)

27. Two C.D. copies.